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Attorney Docket No.: 10251-059

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of	:	Steven R. Selesny, et al.
Serial No.	:	10/076,205
Filed	:	February 14, 2002
Title	:	RISK INSURANCE FINANCIAL PRODUCT AND METHOD

PETITION TO MAKE SPECIAL UNDER 37 CFR 1.102 (d)

I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to the Honorable Commissioner of Patents, Washington, D.C. 20231.

ALEXANDER MIGIROV
Alexander Migirov July 18, 2002
Signature

Box DAC
Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

This Petition pursuant to 37 C.F.R. §1.102 (d) requests that this patent application be made special and advanced out of turn for accelerated examination. Applicants hereby comply with MPEP 708.02 VIII, as follows:

(A) Applicants submit this Petition and authorize the Commissioner to deduct the fee of $130.00 under 37 C.F.R. § 1.17(i) in payment of this Petition from deposit account number 16-2500;

(B) Applicants respectfully submit that all claims, claims 1-31 are directed to a single invention;

retainment point less a variable attachment point, ... and said variable attachment point varies over time based on a predetermined investment growth."

The attached Information Disclosure Statement and form PTO-1449 lists these and other references the Examiner may deem pertinent. The references listed but not discussed herein were identified by the patent searcher only as background references.

It is respectfully requested that the Petition be granted and the application be given special status and be advanced out of turn.

Respectfully submitted,

Tzvi Hirshaut

Tzvi Hirshaut
Reg. No. 38,732

Date: July 18, 2002

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(C) A pre-examination search of the prior art has been performed by a professional patent search firm. The classes and sub-classes searched were:

Class	Sub-Classes
705	1, 4, 35, 36 and 38

In addition, the following online web sites were searched:

Software Patent Institute<http://m.spi.org/>
Google, <http://www.google.com/>

(D) The following references are deemed most closely related to the subject matter encompassed by the claims:

1. U.S. Patent Application Publ. No.: 2002/0046066 A1
   Inventor: Laurenzano

2. U.S. Patent Application Publ. No. 2002/0032646 A1
   Inventor: Sweeney, et al.

3. U.S. Patent No. 6,081,714
   Inventor: Risen, et al.

4. U.S. Patent No. 6,119,093
   Inventor: Walker, et al.

5. U.S. Patent No. 6,134,536
   Inventor: Shepherd

(E) A detailed discussion of each of the above references, which points out with the particularity required by 37 C.F.R. §1.111(b) and (c) how the claimed subject matter is patentable over said references follows.

1. U.S. Patent Application Publication No. 2002/0046066 (Laurenzano) describes a method for an insurer seeking reinsurance (a cedent) to manage its risk of loss by transferring a maximum amount of risk to a reinsurer. This maximum amount is reduced by the economic benefits that are unrealized by the cedent. Thus, the publication

describes the situation where the reinsurer is a supplemental reinsurer supplementing the coverage of other reinsurers,. According to this application, the risk transferred to the supplemental reinsurer is reduced by the amount of reinsurance that the other reinsurers have not paid to the insurer.

In contrast to claims 1-31 of the present application, Laurenzano does not disclose or suggest a method, insurance policy or data processing system for providing insurance in which the insurer transfers to a first reinsurer a variable portion of the risk limit in the policy, "wherein the variable portion decreases over time and ... is a predetermined retainment point less a variable attachment point, ... and said variable attachment point varies over time based on a predetermined investment growth."

2. U.S. Patent Application Publication No. 2002/0032646 (Sweeney et al.) describes a system for the automated administration of insurance for intellectual property assets. In contrast to claims 1-31 of the present application, Sweeney does not disclose or suggest a method, insurance policy or data processing system for providing insurance in which the insurer transfers to a first reinsurer a variable portion of the risk limit in the policy, "wherein the variable portion decreases over time and ... is a predetermined retainment point less a variable attachment point, ... and said variable attachment point varies over time based on a predetermined investment growth."

3. U.S. Patent No. 6,081,714 (Risen) discloses a method of providing insurance against an unexpected change in value of an intellectual property asset. In contrast to claims 1-31 of the present application, Risen does not disclose or suggest a method, insurance policy or data processing system for providing insurance in which the insurer transfers to a first reinsurer a variable portion of the risk limit in the policy, "wherein the

variable portion decreases over time and ... is a predetermined retainment point less a variable attachment point, ... and said variable attachment point varies over time based on a predetermined investment growth."

4. U.S. Patent No. 6,119,093 (Walker) discloses a system for facilitating a syndicated sale of an insurance policy, such as with the Internet. Investors are provided an opportunity to purchase shares in the insurance policy. In contrast to claims 1-31 of the present application, Walker does not disclose or suggest a method, insurance policy or data processing system for providing insurance in which the insurer transfers to a first reinsurer a variable portion of the risk limit in the policy, "wherein the variable portion decreases over time and ... is a predetermined retainment point less a variable attachment point, ... and said variable attachment point varies over time based on a predetermined investment growth."

5. U.S. Patent No. 6,134,536 (Shepherd) discloses a system and method for formulating multi-party risk management contracts in an automated manner. A party ordering a risk management contract inputs data such as possible outcomes and desired entitlements in the event of a particular outcome. This is matched to an appropriate counterparty contract proposal that best meets the ordering party's specified criteria based on entitlements of the insured and the premiums that are charged by the counterparties.

In contrast to claims 1-31 of the present application, Shepherd does not disclose or suggest a method, insurance policy or data processing system for providing insurance in which the insurer transfers to a first reinsurer a variable portion of the risk limit in the policy, "wherein the variable portion decreases over time and ... is a predetermined